

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>FAHEEM ROCHESTER,</b>	:	
<b>Plaintiff,</b>	:	
	:	<b>No. 1:17-CV-01220</b>
<b>v.</b>	:	
	:	<b>(Judge Rambo)</b>
<b>WARDEN OF SCI BENNER, et al.</b>	:	
<b>Defendants</b>	:	

**ORDER**

**AND NOW**, on this 23rd day of July 2018, upon consideration of Defendant Dr. Preston's motion to dismiss (Doc. No. 43), which the Court has converted to a motion for summary judgment (Doc. No. 49), **IT IS ORDERED THAT:**

1. Defendant Dr. Preston's motion (Doc. No. 43), is **GRANTED**, and Dr. Preston is **DISMISSED** from this action;
2. The Clerk of Court is directed to enter judgment in favor of Dr. Preston and against Plaintiff;
3. The Clerk of Court is directed to terminate the Defendant Warden of SCI-Benner from this action in accordance with this Court's September 5, 2017 Memorandum and Order (Doc. Nos. 10, 11); and
4. Any outstanding discovery between the remaining parties shall be completed by August 24, 2018, and dispositive motions shall be filed on or before September 24, 2018.

s/Sylvia H. Rambo

SYLVIA H. RAMBO

United States District Judge